

REMARKS

Applicants thank the Examiner for his thorough search of the art and Office Action. Applicants, by this Amendment, have amended the claims to overcome deficiencies noted in the Examiner's Official Action. After entry of this Amendment Claims 4, 25, 28 – 32 and 35 - 36 remain pending in the Application.

In the Office Action, the Examiner rejected Claims 1, 18 and 21 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent 5,865,340 to Alvern (hereinafter referred to as "Alvern").

According to the Examiner, Alvern discloses an apparatus suitable for dispensing at least one coupon in cooperation with an attached companion device, a companion device with delivery of a product, the apparatus comprising: control means for controlling dispensing (Col. 5, lines 1 – 49); actuator coupled to the control means (24); link for effecting cooperation (Col. 5, lines 1 – 49); companion means includes a dispensing means (Col. 6, lines 30 – 39); and door (21) controlling access to col. [sic] (42).

Continuing in the Office Action, the Examiner rejected claims 1, 18 and 21 under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 4,454,670 to Bachman et al. (hereinafter referred to as "Bachman2").

According to the Examiner, Bachman2 discloses an apparatus suitable for dispensing at least one coupon in cooperation with an attached companion device, a companion device with delivery of a product, the apparatus comprising: control means for controlling dispensing (Col. 5, lines 1 – 23); actuator coupled to control means link for effecting cooperation (Col. 5, lines 11 – 23); and companion means includes a dispensing means (Col. 5, lines 11 – 23).

Continuing in the Office Action, the Examiner rejected Claims 1, 3, 5, 7 – 8 and 18 – 19 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent 6,021,362 to Maggard et al. (hereinafter referred to as “Maggard”).

According to the Examiner, regarding Claims 1 and 21, the Examiner stated that Maggard discloses an apparatus suitable for dispensing at least one indicium of value in cooperation with an attached companion device, a companion device with delivery of a product, the apparatus comprising:

- control means for controlling dispensing (18);**
- actuator means coupled to the control means (74);**
- link for effecting cooperation (Col. 5, lines 25 – 50);**
- companion means includes a dispensing means (20).**

Regarding Claims 3 and 22, the Examiner stated that Maggard discloses communication means for communicating (Col. 8, lines 20 – 37), and memory means for storing operation information (Col. 5, lines 25 – 65).

Regarding Claims 5 and 24, the Examiner stated that Maggard discloses communication means comprising an input access port for providing control by an operator (Col. 10, lines 30 – 41).

Regarding Claims 7 and 26, the Examiner stated that Maggard discloses at least one item of value comprising a coupon redeemable for at least one second product (Col. 8, lines 20- 50).

Regarding Claims 8 and 27, the Examiner stated that Maggard discloses at least one item comprising a product sample (20).

Regarding Claim 18, the Examiner stated that Maggard discloses a method for dispensing at least one item of value from an apparatus in cooperation with operation of a companion device comprising

- providing a control means for controlling a providing (Col. 8, lines 20 – 50);**
- providing a means for effecting dispensing means (Col. 8, lines 37 – 50);**
- providing a link for effecting cooperation (Col. 8; lines 20 – 37).**

Regarding Claim 19, the Examiner stated that Maggard discloses communication means coupled with an apparatus for communicating operation information with the apparatus regarding operation of the apparatus (Co. 8; lines 37 – 50), and providing a memory means for storing operation information (Col. 8; lines 20 – 50).

Continuing in the Office Action, the Examiner rejected Claims 1, 3 – 5, 7, 18 – 24 and 26 under 35 U.S.C 103(a) as being unpatentable over U.S. Patent 5,652,421 to Veeneman et al. (hereinafter referred to as “Veeneman”), in view of Bachman2 in which Veeneman discloses the elements claimed including:

Regarding Claims 1 and 21, the Examiner stated that Veeneman discloses an apparatus for dispensing at least one indicium of value (gift certificate) in cooperation with an attached companion device with a delivery of a product apparatus (26, envelope dispenser) comprising:

- control means for controlling dispensing (24)**
- actuator coupled to control means (14/48)**
- link for effecting cooperation (FIG. 3).**

Regarding Claim 21, the Examiner stated that Veeneman discloses an apparatus and companion device assembled in unitary configuration (600/602).

Regarding Claim 2, the Examiner stated that Veeneman discloses companion means including a dispensing means (26).

Regarding Claims 3 and 22, the Examiner stated that Veeneman discloses communication means for communicating (Col. 6, lines 16 – 27; Col. 5, lines 1 – 3), and memory means for storing operational information (Col. 5, lines 5 – 24).

Regarding Claims 4 and 23, the Examiner stated that Veeneman discloses communication means comprising a telephone connection with a remote controlling station (Col. 6, lines 16 – 27; Col. 5, lines 1 – 3).

Regarding Claims 5 and 24, the Examiner stated that Veeneman discloses communication means comprising an input access port for providing control by an operator (Col. 3, lines 30 – 35).

Regarding Claims 7 and 26, the Examiner stated that Veeneman discloses at least one item of value comprising a coupon redeemable for at least one second product (Col. 15, lines 5 – 65).

Regarding Claim 18, the Examiner stated that Veeneman discloses a method for dispensing at least one item of value from an apparatus in cooperation with operation of a companion device comprising

- providing a control means for controlling a providing (24)**
- providing a means for effecting dispensing means (14/28)**
- providing a link for effecting cooperation (FIG. 3)**

Regarding Claim 19, the Examiner stated that Veeneman discloses communication means coupled with apparatus for communicating operation information with apparatus regarding operation of apparatus (Col. 6, lines 16 – 27; Col. 5, lines 1 – 3), and providing a memory means for storing operational information (Col. 5, lines 5 – 24).

Regarding Claim 20, the Examiner stated that Veeneman discloses communicating a directive comprising a change from a remote locus (Col. 6, lines 16 – 27; Col. 5, lines 1 – 3).

The Examiner stated that Bachman2 discloses any elements not inherently disclosed by Veeneman, including: direct link between apparatus and actuator (Col. 5, lines 11 – 24).

The Examiner opined it would have been obvious at the time of the invention for Veeneman to actuate the article dispensing and coupon dispensing to simplify development as taught by Bachman2 and come up with the instant invention.

The Examiner allowed Claims 28 – 32 and 35 – 36.

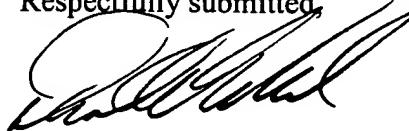
The Examiner objected to Claims 4 and 25 as being dependent claims premised upon a rejected base claim. The Examiner stated that Claims 4 and 25 would be allowed if they were rewritten in independent form or if the limitations of an allowable claim were incorporated within the independent base claim from which claims 4 and 25 depend or if rewritten premised upon dependence from an otherwise allowable base claim.

Claims 1, 3, 5 – 7, 18 – 24 and 26 have been cancelled. Claims 4 and 25 have been rewritten to be in allowable form.

It is respectfully submitted that Claims 4, 25, 28 – 32 and 35 - 36 patentably distinguish over the art of record.

Since Applicants have fully and completely responded to the Official Action, this Application is now in order for early action and such early action is respectfully requested. If the Examiner would deem a telephone conference to be of value in expediting this Application, he is invited to call the undersigned attorney at (972) 758-1955 at his convenience.

Respectfully submitted,



Donald D. Mondul

Attorney for Applicants

Reg. No. 29,957

Law Office of Donald D. Mondul
6631 Lovington Drive
Dallas, TX 75252
(972) 758-1955

Certificate of Mailing by First Class Mail
I certify that this document is being deposited on February 24, 2005, with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



Donald D. Mondul, Attorney for Applicants